

United States Mission to the OSCE

Session 7: Tolerance and Non-discrimination II

*Equality of opportunity among women and men;
Implementation of the OSCE Action Plan for the Repression of Gender Equality;
Prevention of violence against women*

As prepared for delivery by James Kuykendall
to the OSCE Human Dimension Implementation Meeting
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Thank you, Madam Moderator.

OSCE participating States agreed in the Helsinki Final Act to “respect human rights and fundamental freedoms . . . for all without distinction as to race, sex, language, or religion.” Thirty-four years later, however, in some countries the necessary legal frameworks to protect the human rights of women still are either missing or ineffectively implemented. Discrimination against women in access to education, economic opportunities, and political processes continues, and law enforcement authorities sometimes do not respond adequately to physical or sexual assaults against women, especially those perpetrated by spouses or other family members.

Effectively preventing discrimination and violence against women requires a legal framework that provides accountability and fosters the ability of authorities and civil society to respond to specific incidents. Although several participating States prosecute domestic violence under general assault laws, specific laws would strengthen the authorities’ ability to hold abusers accountable and take the onus of pressing charges off of the victim. OSCE participating States that do not have specific laws against domestic violence include Andorra, Armenia, Belarus, Kazakhstan, and Uzbekistan. Russia has no legal definition of domestic violence, which makes effective prosecution difficult.

While Hungary adopted legislation for domestic violence in June, 2009, women's rights NGOs are critical of the law, claiming that it does not provide appropriate protection for victims or place emphasis on the accountability of perpetrators.

Azerbaijan, Lithuania, and Tajikistan drafted laws, in some cases several years ago, but they have not yet been adopted. We are concerned about reports in Tajikistan that the number of women committing self-immolation following domestic abuse has risen in the last year. Many participating States also lack laws specifically addressing sexual harassment, including Armenia, Azerbaijan, Belarus, Moldova, Russia, Turkmenistan, and Uzbekistan. In Russia, according to research conducted by the Gender Inequality Institute, 100 percent of female professionals said their bosses had sexually harassed them. We note, however, that the government of Georgia has established an interagency council on domestic violence, and commend this positive step.

Legal frameworks, unfortunately, are not enough. The view of domestic violence as an internal family issue must change. States must do more to train law enforcement officials and social

workers in how to respond to victims of domestic violence. Information and assistance must be available for victims, and governments must commit sufficient resources to assist them while also supporting civil society's efforts to do so. We strongly support recent OSCE programs in these areas, and believe the OSCE should increase such assistance to participating States, including those that do not host field missions.

Other types of violence against women must also be addressed in the OSCE region. While not common, so-called "honor killings" have taken place in several OSCE participating States, including the United States, the United Kingdom, Belgium, and Germany. We commend Turkey for strengthening its laws and programs to fight this problem and urge further efforts to ensure full implementation of the laws so that perpetrators are held accountable and future violence is deterred. We would be interested in hearing from The Netherlands about the work of the Expertise Center for honor-related violence in Amsterdam and from Sweden on a new program to fight honor-related violence. Several participating States also have put in place programs to prevent female genital mutilation, including France, Switzerland, and Spain. In Kyrgyzstan, we note that instances of non-consensual bride kidnapping have risen dramatically over the past decade, despite laws against it. Girls are often forced by their own parents to stay with the family that kidnapped them and fear disgrace if they disobey. We urge authorities to do more to prevent these types of incidents.

Many OSCE activities focus on conflict prevention, crisis management and resolution, and post-conflict rehabilitation. OSCE staff dealing with conflict management should be trained to identify and include women in these efforts. It is crucial that women be included in all stages of conflict-related work, and we encourage participating States to ensure that women's views are taken into account when making policy decisions concerning peace processes.

Failure to bring women into peace negotiations and post-conflict rehabilitation planning in a meaningful way leaves a critical resource untapped. Not only will talking only to former combatants not be as likely to result in a sustainable settlement, but women may also have distinctive insights into the causes of conflict and can help devise durable solutions. Additionally, women are critical to the successful implementation of conflict management initiatives and micro-economic and legal reforms.

Mr./Madam Moderator, we know the OSCE recognizes the importance of ensuring equality of opportunity for men and women, and of preventing violence and discrimination against women. We commend OSCE efforts to lead by example, particularly with regard to efforts to identify and include qualified women in all levels and areas of its work.

Thank you, Madam Moderator.